

Appl. No.: 10/728,664  
Amdt. dated 02/14/2005  
Reply to Office action of September 14, 2004

### **REMARKS**

This amendment is filed in response to the Office Action dated September 14, 2004. Applicants first note with appreciation the Examiner's thorough examination of the application as evidenced by the Office Action. In response to the Office Action, Applicants have canceled Claims 1 and 15 and amended Claims 2-14 and 16-27. Based on these amendments and the remarks provided below, Applicants respectfully submit that Claims 2-14 and 16-27 are patentable.

#### **I. Explanation of Claim Amendments**

With regard to the amended claims, Applicants have essentially canceled independent Claims 1 and 15 and rewrote dependent Claims 5 and 18 into independent form. As claims 5 and 18 were previously examined, these amendments should not prompt a final rejection, as the claims were considered as part of the original search.

#### **II. The Claims Are Now in Proper Form**

On page 2, the Office Action notes a misnumbering in the claims and a typographical error in Claims 6 and 19. Applicants hereby submit amendments to the claims to address these two issues. Applicants respectfully submit that the claims are now in proper form.

#### **III. Section 112 Rejections**

On page 2, the Office Action includes a heading concerning § 112 rejections. However, no specific rejections are listed. Applicants therefore are not sure if a 112 rejection has been lodged against the claims or if the header was left in the Office Action by mistake.

#### **IV. The Claims Are Patentable**

The Office Action rejects all of the claims as either anticipated or obvious in light of U.S. Patent No. 5,469,545 to Vanbuskirk. With regard to Claims 5 and 18, the Office Action states that it is clear that the RISC protocol uses messages having varying bit lengths. Applicants respectfully disagree.

An important aspect of the invention is to reduce the amount of data that must be transmitted across the network. In this regard, many conventional systems use a data field having a fixed length that is large enough to accommodate the longest bit length of data. This is not efficient as it requires transmission of a larger length data field with each transmission than may be needed for the particular data or command being transmitted. The present invention, on the other hand, does not use a fixed-length message. The length of the message varies depending on the command. This, in turn, permits the elimination of unnecessary data being transmitted if it is not needed to execute a command or send data. In this regard, independent claims 5 and 16 both recite use of messages having bit lengths that vary based on at least one of the command and data being transmitted in the message.

The '545 Vanbuskirk patent nowhere teaches or suggests this aspect of the claimed invention. The '545 Vanbuskirk patent specifically states in several places use of "a small fixed-size addressed packet." See Abstract, col. 5, lines 6-11, and col. 5, lines 25-28. Specifically, the '545 Vanbuskirk patent states: "All commands, including flow control commands, and data transfer share the same high speed link. For this purpose, the present invention uses a fixed-size, relatively small addressed packet to achieve a low-overhead, high performance protocol for demand multiplexing." See Col. 5, lines 8-11. The '545 Vanbuskirk patent specifically discloses use of a fixed length message and nowhere teaches or suggests the use of a variable length message as is recited in the claims.

In light of the above, Applicants respectfully submit that Claims 2-14 and 16-27 are patentable over the cited reference. Applicants therefore request reconsideration and allowance of the application.

It is not believed that extensions of time or fees for net addition of claims are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required

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therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 16-0605.

Respectfully submitted,




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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on February 14, 2005

  
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